

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAIIIN THE MATTER OF
CR. NO. 03-00579 HG
UNITED STATES OF AMERICA v.
BETTY YI HERNANDEZ, Defendant

AFFIDAVIT OF PUBLICATION

OCT 18 2006

at 11 o'clock and 2 min. AM
SUE BEITIA, CLERK

STATE OF HAWAII

City and County of Honolulu

SS.

Carrie Asuncion being duly sworn,
deposes and says that she is a clerk, duly authorized to
execute this affidavit of MidWeek Printing, Inc., publisher
of MidWeek and the Honolulu Star-Bulletin, that said
newspapers are newspapers of general circulation in the
State of Hawaii, and that the attached notice is true notice
as was published in the aforementioned newspapers as
follows:

MidWeek times on

Honolulu Star-Bulletin 3 times on
09/27/2006, 10/04/2006, 10/11/2006

And that affiant is not a party to or in any way interested in
the above entitled matter.

C. Asuncion

Subscribed to and sworn before me this 13th day
of October A.D. 2006

Notary Public of the First Judicial Circuit
State of Hawaii

My commission expires October 07, 2010

Ad# 05524961

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAIIUNITED STATES OF AMERICA v. BETTY YI HERNANDEZ,
Defendant, Cr. No. 03-00579 HG.

NOTICE IS HEREBY GIVEN that on May 25, 2006, in
the above-captioned case, the United States District
Court for the District of Hawaii entered a Preliminary
Order of Forfeiture condemning and forfeiting the interest
of Betty Yi Hernandez in the below listed property and
condemning and forfeiting the property to the United
States of America:

\$50,000.00 in United States currency seized
from the Chief Clerk's Office for the First
Circuit Court, State of Hawaii on March 31,
2004.

YOU ARE HEREBY NOTIFIED that the United States
intends to dispose of this property in such manner as the
United States Department of Justice and the United
States Department of Homeland Security may direct.

Pursuant to 21 U.S.C. § 853 (a) (1), if you have a
legal interest in this property, WITHIN THIRTY (30) DAYS
of the final publication of this notice or of receipt of
actual notice, whichever is earlier, you must petition the
United States District Court for the District of Hawaii, 300
Ala Moana Boulevard, Room C-338, Honolulu, Hawaii
96850, for a hearing to adjudicate the validity of your
alleged legal interest in this property. If a hearing is
requested, it shall be held before the Court alone,
without a jury.

THE PETITION must be signed by the petitioner under
penalty of perjury, as established in 28 U.S.C. § 1746,
and shall set forth the nature and extent of your right,
title and interest in each item of property, the time and
circumstances of your acquisition of the right, title or
interest in each item of property and any additional facts
supporting your claim and the relief sought.

A copy of the petition should be served on Assistant
United States Attorney Rachel S. Moriyma, 300 Ala
Moana Boulevard, Room 6-100, Honolulu, Hawaii 96850.

Pursuant to 21 U.S.C. § 853 (a) (2), NEITHER A
DEFENDANT IN THE ABOVE-STYLED CASE NOR HER
AGENT IS ENTITLED TO FILE A PETITION.

ANY HEARING on your petition shall, to the extent
practicable and consistent with the interests of justice, be
held within thirty (30) days of the filing of your petition.
The Court may consolidate your hearing on the petition
with any other hearings requested on any other petitions
filed by any other person other than the defendant named
above.

YOU HAVE THE RIGHT at the hearing to testify and
present evidence and witnesses on your own behalf and
cross-examine witnesses who appear at the hearing. The
United States may present evidence and witnesses in
rebuttal and in defense of its claim to the property and
cross-examine witnesses who appear at the hearing. In
addition to testimony and evidence presented at the
hearing, the Court shall consider the relevant portions of
the record of the criminal cases which resulted in the
Preliminary Order of Forfeiture.

If, after the hearing, the Court determines that the
petitioner has established by a preponderance of the
evidence that: (a) the petitioner has a legal right, title or
interest in the property, and such right, title or interest
renders the Preliminary Order of Forfeiture invalid in
whole or in part because the right, title or interest was
vested in the petitioner rather than the defendant or was
superior to any right, title or interest of the defendant at
the time of the commission of the acts which gave rise to
the forfeiture of the property; or (b) the petitioner is a
bona fide purchaser for value of the right, title or interest
in the property and was at the time of purchase reasonably
without cause to believe that the property was subject
to forfeiture; the Court shall further amend the Preliminary
Order of Forfeiture in accordance with its determination.

IF YOU FAIL TO FILE A PETITION TO ASSERT YOUR
RIGHT, TITLE OR INTEREST IN THE ABOVE-DESCRIBED
PROPERTY WITHIN THIRTY (30) DAYS OF THIS NOTICE,
YOUR RIGHT, TITLE AND INTEREST IN THIS PROPERTY
SHALL BE LOST AND FORFEITED TO THE UNITED STATES
OF AMERICA. THE UNITED STATES THEN SHALL HAVE
CLEAR TITLE TO THE PROPERTY HEREIN DESCRIBED AND
MAY WARRANT GOOD TITLE TO ANY SUBSEQUENT
PURCHASER OR TRANSFEREE.

RECEIVED 11/27 10/11/06

EXHIBIT "A"